

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

SUITS – Land Acquisition – PJP – GADWAL -Mahabubnagar District – Garlapad (Village) Dharoor (Mandal) – O.P.No.45/2005 - Sanction of decretal charges of **Rs.75,71,703/-** Orders – Issued.

IRRIGATION & CAD (PW.LA.III.A2) DEPARTMENT

G.O.RT.NO.538

DATE:17.07.2008

Read:

From the Spl.CS to Govt & CCLA, AP, Hyd.Lr. No.SRP4/494/2008,
Dt:27.05.08 alongwith the letter of Spl.Collector, SSP, Kurnool.

ORDER:

The Special Chief Secretary to Government and Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad has informed that the Special Collector, SSP, Kurnool has submitted the proposals for sanction of final payment of decretal charges in respect of O.P.No.45/2003 pertaining to Garlapad (V) Dharoor (M) of Mahabubnagar District. The then SDC, LA, PJP, Gadwal had acquired an extent of Area of 7021.95 sq.mt & structures thereon of Garlapad (V) by fixing the market value @Rs.80/- per sq.mtrs & structures value furnished by the Executive Engineer, PJP, Gadwal through Award No.43/04, 44/04, dt:20.11.2004 for submergence. The awardees have filed petitions u/s 18 (1) of the L.A.Act for adjudication. The Sr.Civil Judge, Gadwal had delivered judgments enhancing the market value of houses with area from one time more than the amount fixed by the LAO in O.P.No.54/05 & 55/05 dt:13.02.2007. The SDC,LA, PJP, Gadwal has filed appeal in the Hon'ble H.C of A.P, Hyd. The High Court of A.P has granted interim stay on condition to pay 50% of decretal amount. Accordingly, an amount of Rs.72,38,669/- was sanctioned and the same has been deposited in the Sr.Civil Judge Court, Gadwal on 13.09.2007. Finally, the Hon'ble H.C of A.P has dismissed the appeal filed by the SDC, LA, PJP, Gadwal by confirming the Judgment of Lower Court in A.S.No.230, 231/07 dt:02.08.2007.

2) After careful examination of the matter, Government hereby accord sanction for an amount of **Rs.75,71,703/- (Rupees Seventy five lakhs seventy one thousand seven hundred and three only)** in respect of O.P.No.54/2005 & 55/2005 pertaining to Garlapad (V) Dharoor (M) of Mahabubnagar District subject to verification whether the reference under section 18 (1) of the L.A.Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Sec.18 reference was made contrary to the rules/guidelines issued by the Govt/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further, the Special Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower court.

(PTO)

3) The amount in para (2) above shall be debitable to the following Head of Account under "4701- SMJH – 01 – Major Irrigation – M.H.122–Jurala Project – G.H.11- NSP-SH (26) – Dams & Appurtenant works - 530 Major works -532 – Lands (charged). In case, the available budget provision is not sufficient to meet the present requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

4) This order issues with the concurrence of Finance (Works&Projects) Department vide their U.O. No.2963/F2(2)/2008-1, dated 30.06.2008.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS
SECRETARY TO GOVERNMENT

To

The Spl. Chief Secretary to Government & CCLA, A.P., Hyderabad.

The Special Collector, LA, SSP, Kurnool

The Engineer-in-Chief, I&CAD, Erramanzil, Hyderabad.

The SDC, LA, PJP, Gadwal, Mahabubnagar.

The Director of Works Accounts, Hyderabad.

Copy to: P.S. to Minister (M& MI).

Finance (W&P) Department/File C.No.16371/LA-III(A2)/2008.

SF/SCs

//FORWARDED::BY ORDER//

SECTION OFFICER